

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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FRANK BRUNCKHORST CO., L.L.C.,

Plaintiff,

v.

BUTTERBALL, LLC,

Defendant.

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Civil Action No. CV – 11:2559

**NOTICE OF VOLUNTARY DISMISSAL OF ACTION**

Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i), Plaintiff hereby respectfully requests that the above-captioned suit be dismissed without prejudice.

Respectfully submitted,

Dated: September 12, 2011

/s/ R. Glenn Schroeder

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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I, R. Glenn Schroeder, do hereby certify that I have served the attached **NOTICE OF VOLUNTARY DISMISSAL OF ACTION** was served via first class mail and email this 12th day of September, 2011 upon at the following address:

Daniel H. Marti, Esq.  
Kilpatrick Stockton LLP  
607 14<sup>th</sup> Street NW  
Suite 900  
Washington, DC 20005-2018

/s/ R. Glenn Schroeder  
R. Glenn Schroeder